REMARKS

Claims 1-31 are pending in this application. Supplemental to Applicants' earlier Amendment filed on May 20, 2004, claims 1, 9, 13, 19, 23 and 27 have been amended in several particulars for purposes of clarity and brevity that are unrelated to patentability and prior art rejections in accordance with current Office policy, to further and alternatively define Applicants' disclosed invention and to assist the Examiner to expedite compact prosecution of the instant application.

As previously discussed, claims 4, 5, 6, 11, 15, 16 and 21 have been conditionally allowed if rewritten in independent form to include all limitations of their respective base claims 1 and 13. The Examiner's indication of allowability of these claims is noted with appreciation. For purposes of expedition, claims 28-31 have been newly added to capture the subject matter of the allowed claims 4, 5, 6, 11, 15, 16 and 21, but depend upon base claim 27. As a result, claims 28-31 should also be deemed allowable. As for claims 4, 5, 6, 11, 15, 16 and 21, forbearance is respectfully requested pending Applicants' traversal of the outstanding rejection of parent claims 1 and 13.

Claims 23-24 and 27 have been rejected under 35 U.S.C. §102(e) as being anticipated by Taenzer et al., U.S. Patent No. 6,603,860 for reasons stated on pages 3-4 of the Office Action (Paper No. 5). As previously discussed, base claims 23 and 27 have been amended to render the rejection moot and to place all claims in condition for allowance.

Dependent claims 25-26 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Taenzer et al., U.S. Patent No. 6,603,860 for reasons stated on pages 4-5 of the Office Action (Paper No. 5). Since the rejection is

predicated upon the correctness of the rejection of Applicants' base claim 23, Applicants respectfully traverse this rejection, primarily for the same reasons discussed against the rejection of Applicants' base claim 23.

Lastly, claims 1-3, 7-10, 12-14, 17-20 and 22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Taenzer et al., U.S. Patent No. 6,603,860, as modified to incorporate Peterson, U.S. Publication No. 2002/0084990 for reasons stated on pages 6-7 of the Office Action (Paper No. 5). As previously discussed, Applicants' disclosed invention relates to hearing devices (e.g., hearing aids, headsets and hands-free arrangements) and to garments having wireless loopsets integrated therein. The main idea is to integrate electrically conductive fibers into the garment in a predetermined pattern to form an induction loop closable by an activator unit arranged at a predetermined location on the induction loop to arranged to close and thus activate the induction loop, and to provide an interface to at least one portable electronic device. As a result, there are significant advantages and benefits with Applicants' claimed article of functional clothing. First, by integrating the technology partly inside the clothes, separate wires would not be needed and the key unit would be very small item. Second, as the technology would be separated between clothes and the activator unit, the price of the unit would be lower and people could own separate units to be changed between clothes as required. Third, the activator units could be design items, so people actually would like to get more than one item.

Neither Taenzer et al., U.S. Patent No. 6,603,860, nor Peterson, U.S. Publication No. 2002/0084990 discloses Applicants' disclosed invention. For example, Taenzer '860 discloses a physical induction loop made by an electrical wire

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to be worn over on a garment. Peterson '990 discloses an electrical device worn by a user.

Neither Taenzer et al., U.S. Patent No. 6,603,860, nor Peterson, U.S. Publication No. 2002/0084990, whether taken individually or in combination, discloses Applicants' claimed "electrically conductive fibers integrated into the garment in a predetermined pattern to form an induction loop closable by an activator unit arranged at a predetermined location on the induction loop to arranged to close and thus activate the induction loop, and to provide an interface to at least one portable electronic device" as defined in Applicants' claims 1-3, 7-10, 12-14, 17-20 and 22.

In short, there is no basis to establish a prima facie case of obviousness. There is not any factual suggestion or motivation in Taenzer '860 or Peterson '990 or in the knowledge generally available to one of ordinary skill in the art, to modify the teachings of Taenzer '860 or Peterson '990 in order to arrive at Applicants' claimed invention, and there is no reasonable expectation of success. In view of the fact that Taenzer '860 and Peterson '99 fail to disclose and suggest key features of Applicants' claims 1 and 13 and their respective dependents, Applicants respectfully request that the rejection of claims 1-3, 7-10, 12-14, 17-20 and 22 be withdrawn.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC area office at (703) 312-6600.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage of fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, No. 01-2135 (Application No. 0171.39379X00), and please credit any excess fees to said deposit account.

Respectfully submitted,

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